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31780 7590 05/17/2007 ERIC ROBINSON PMB 955 21010 SOUTHBANK ST. POTOMAC FALLS, VA 20165			EXAMINER TANG, KAREN C	
			ART UNIT 2151	PAPER NUMBER
			MAIL DATE 05/17/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/978,551	Applicant(s) NORO, HIROTAKE	
	Examiner Karen C. Tang	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/23/07</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/21/07 has been entered.
- Claims 7-9 are presented for further examination.

Response to Arguments

Applicant's arguments filed 3/21/07 have been fully considered but they are not persuasive.

Rather, the Applicant argued that Fukuda and AAPA do not teach or suggest means for *judging whether or not a track change has occurred to decide the completion of the recording of one piece of music.*

The Official Action does not explain what is believed to be unclear.

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended.

Also, independent claims 7-9 have been amended to newly recite means contained in the control apparatus for generating an edit image in accordance with information in the memory in order to perform the editing work for the title information. Further, claim 7-9 already recite means for judging whether or not a track change has occurred to decide

completion of the recording of one piece of music. Fukuda and AAPA, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

The present amended claims clearly recite that after it is judged whether the acquired disk information includes information of claiming a copyright, a title area in a memory is initialized or the extracted title information is stored in the title area in the memory and subsequently the system shifts to an editing work and the editing work for the title information is performed. The claimed processing operations are not performed in the alleged combination of Fukuda and AAPA. Also, independent claims 7-9 newly recite means contained in the control apparatus for generating an edit image in accordance with information in the memory in order to perform the editing work for the title information. The Applicant respectfully submits that the alleged combination of Fukuda and AAPA does not teach or suggest the above-referenced features of the present claims. Further, the Official Action concedes that "Fukuda did not expressly indicate the means for judging whether or not a track change has [occurred] to decide the completion of the recording of one piece of music" (page 6, Paper No. 20061204). The Official Action asserts that AAPA teaches these features at page 2, lines 24-25 (Id.). The Applicant respectfully disagrees and traverses the assertions in the Official Action. Page 2, lines 24-25, of the present specification appears to disclose the following: "This title information registration process starts, for example, when music data is completely recorded from CD to MD" (emphasis added). That is, the process described at pages 2-4 is related to the completion of the recording of a complete CD to MD and does not relate to "the recording of one piece of music" as presently claimed and defined in the present specification. Since Fukuda and AAPA do not teach or suggest all the claim limitations, a prima facie case of obviousness cannot be maintained. Accordingly,

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reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested. Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Examiner respectfully traversed the argument:

Applicant argued that the cited art does not teach or suggest *judging whether or not a track change has occurred to decide the completion of the recording of one piece of music.*

AAPA as one of the cited arts that combined with Fukuda indicates that the system will judge whether or not the system is done with copying the piece of music (refer to 0011), then the system will go on and start with the title registration. What that means is, the system can detect any changes within the tracks of the CDs, and decided whether or not the recording of the music is complete. Further argument regarding recording of one piece of music. The CD is considered to be one piece of music. The applicant is not claiming a specific mechanism (i.e., a one file, or one song), and only use broad terminology such as one piece of music. The CD can contain one or more piece of music within the CD. Therefore, it can be interpreted with that aspect.

Applicant argued that the cited of record combined, did not expressly teach or suggest “

Applicant argued that “*Independent claims 7-9 have been amended to recite means contained in the control apparatus adapted to operate to initialize a title area in a memory contained in the control apparatus so as to shift to an editing work when the information of claiming the copyright is judged to be included and to extract title information from the acquired disk information of the target reproduction and store the extracted title information in the title area*

in the memory so as to shift to the editing work when the information of claiming the copyright is judged not to be included." It is being noted under the below 112 1st paragraph that "so as to shift" does not recited within the specification, furthermore, it is vague and confusing and thus does not provide any patentable weight.

Applicant also argued the prior art, either along or in combination does not suggest *"independent claims 7-9 have been amended to newly recite means contained in the control apparatus for generating an edit image in accordance with information in the memory in order to perform the editing work for the title information."*

The cited prior art of record indicates "means contained in the control apparatus for generating an edit image in accordance with information in the memory in order to perform the editing work for the title information (refer to Col 8, Lines 45-67, the control apparatus contains program that runs the software which generate an edit image, in order to input/edit title, music data i.e., operation menu as the edit image that is in accordance with information in the memory, Col 10, Lines 65-67, and Col 21, Lines 1-10);"

Applicant alleged that the cited art does not teach what is indicated within the specification *"Present specification appears to describe a step \$103 (Figure 7) where a control microprocessor judges whether the read text data contains information of claiming a copyright. However, the process subsequent to step-\$103 is different from a step following a judging step in the present invention. Specifically, in the present invention, for example, when any copyright is judged to exist, the title area of the memory 35 is initialized and subsequently the edit image is generated in accordance with the information in the memory 35 That is, the system shifts to the title edit process. In order to better recite this feature, the claims have been amended to recite*

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"so as to shift to an editing work." In contrast, in the process described at pages 2-4 of the present specification, when any copyright is judged to exist, the write memory is initialized (Figure 7, \$105) and subsequently the character information is written into the memory one character after another (one at a time) in accordance with key input (Figure 7, steps \$105 to \$108)."

Specification has explained what is needed to be claimed clearly, however, the claim languages is written differently than what is being indicated from the specification and thus is being interprets differently. Further, for argument's purpose, even if the claim meant to say *"Present specification appears to describe a step \$103 (Figure 7) where a control microprocessor judges whether the read text data contains information of claiming a copyright. However, the process subsequent to step-\$103 is different from a step following a judging step in the present invention. Specifically, in the present invention, for example, when any copyright is judged to exist, the title area of the memory 35 is initialized and subsequently the edit image is generated in accordance with the information in the memory 35 That is, the system shifts to the title edit process. In order to better recite this feature, the claims have been amended to recite "so as to shift to an editing work" In contrast, in the process described at pages 2-4 of the present specification, when any copyright is judged to exist, the write memory is initialized (Figure 7, \$105) and subsequently the character information is written into the memory one character after another (one at a time) in accordance with key input (Figure 7, steps \$105 to \$108)."*

The AAPA disclosed the above features since the system detected the copyright is within the read text data (refer to 0015, Lines 2-3), the system writes the data into memory further, shift

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to the title edit process to ask user to input/title information (generate edit image and system is to ask user to input title information, refer to 0016).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 7-9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

It has been noted that although the newly amended “so as to shift to an editing work” does not supports within the specification, however, the specification does indicate, “the image processing unit generates an edit image for editing the title information”. However, the two meant the two different things. The meaning within the specification is interprets as there’s a processing unit that generates the edit image, however, what is being claimed in the claim languages indicates the control apparatus also does editing work. These are two different things and does not means the same meaning.

The amended Claim language is vague and confusing. Therefore, it's not being given any patentable weight.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 7-9 are recites the limitation ""the title information" in Lines 21-23. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukuda (US 6,594,740) in view of Applicant Admitted Prior Art (AAPA - Background Information).

1. Referring to Claim 7, Fukuda discloses audio system having a recording/reproducing apparatus for recording on a record disk music data reproduced from a reproduction disk and a control apparatus for controlling the recording/reproducing apparatus, the control apparatus

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being adapted to communicate with an external information management server via a predetermined interface, the audio system comprising:

means contained in the recording/reproducing apparatus for transferring identification information for identifying a target reproduction disk to the control apparatus (Col 2, Lines 45-60, Col 7, Lines 20-35, Col 17, Col 19, Lines 15-67);

means contained in the control apparatus for communicating with the external information management server to acquire disk information of the target reproduction disk from the external information management server on the basis of the identification information (refer to Col 10, Lines 25-35, Col 20, Lines 15-67);

and means contained in the recording/reproducing apparatus for registering in the record disk the extracted title information (refer to Col 17, Lines 1-20 and Col 19, and 20).

means contained in the control apparatus for generating an edit image in accordance with information in the memory in order to perform the editing work for the title information (refer to Col 8, Lines 45-67, the control apparatus contains program that runs the software which generate an edit image, in order to input/edit title, music data i.e., operation menu as the edit image that is in accordance with information in the memory, Col 10, Lines 65-67, and Col 21, Lines 1-10);

means contained in the control apparatus, the means operating to extract title information from the acquired disk information of the target reproduction disk (refer to Col 18, Lines 1-10);

and means contained in the recording/reproducing apparatus for registering in the record disk the extracted title information (refer to Col 17, Lines 1-20, Col 19, Col 20).

Fukuda does not expressly disclose transferring the extracted title information from the memory to the recording/reproducing apparatus in response to the completion of the recording of one

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piece of music and disclosed the system detected the copyright is within the read text data the system writes the data into memory further, shift to the title edit process to ask user to input/title information.

AAPA discloses transferring the extracted title information from the memory to the recording/reproducing apparatus in response to the completion of the recording of one piece of music (pg 2, Lines 15-25, Pg 3, and pg 4, Lines 1-10, the claim language does expressly indicate the correspondence between the title of the music and the piece of the music that are being recorded/reproduced, therefore, for example, once the system senses that a music piece A is completely recorded/reproduced (completion of the recording of one piece of music), then the system starts transferring the title of music piece B (transferring the extracted title information), once that is being completed, the system starts to record/reproduce music piece B.). AAPA disclosed when system detected the copyright is within the read text data (refer to 0015, Lines 2-3), the system writes the data into memory further, shift to the title edit process to ask user to input/title information (generate edit image and system is to ask user to input title information, refer to 0016)

Fukuda did not expressly indicate means contained in the control apparatus for judging whether the acquired disk information includes information of claiming a copyright.

AAPA disclosed means contained in the control apparatus for judging whether the acquired disk information includes information of claiming a copyright (refer to Page 2, Lines 25-30 and Page 3, Lines 1-15 and Page 4, Lines 12-16).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the AAPA and Fukuda. Both Fukuda and AAPA inventions are about recording music

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pieces with their relevant information, and Fukuda discloses methods of reproducing/recording music including the title and related information (Col 21, Lines 1-10) and the arts are analogous. The suggestion/motivation for doing so would have been that by implement via network, it can provides convenience accessibility for the users around the world to download/reproducing/recording piece of music of their choices.

Fukuda did not expressly disclosed means contained in the control apparatus adapted to operate to initialize a title area in a memory contained in the control apparatus so as to shift to an editing work when the information of the claiming the copyright is judged to be included.

AAPA disclosed means contained in the control apparatus adapted to operate to initialize a title area in a memory contained in the control apparatus so as to shift to an editing work when the information of the claiming the copyright is judged to be included (refer to Page 4, Lines 13-16).

At the time of the invention, it would have been obvious to combine Fukuda and AAPA since the arts are analogous.

The suggestion/motivation for doing so would have been that by implement via network, it can provides convenience accessibility for the users around the world to download/reproducing/recording piece of music of their choices.

Fukuda did not expressly indicate the means for judging whether or not a track change has occurred to decide the completion of the recording of one piece of music.

AAPA disclosed means for judging whether or not a track change has occurred to decide the completion of the recording of one piece of music (decided the recording of music data is complete, refer to Page 2, Lines 24-25)

At the time of the invention, it would have been obvious to combine Fukuda and AAPA since the arts are analogous.

The suggestion/motivation for doing so would have been that by implement via network, it can provides convenience accessibility for the users around the world to download/reproducing/recording piece of music of their choices.

2. Referring to Claim 8, Fukuda discloses an audio system having a recording/reproducing apparatus for recording on a record disk music data reproduced from a reproduction disk and a control apparatus for controlling the recording/reproducing apparatus, the control apparatus being adapted to communicate with an external information management server via a predetermined interface, the audio system comprising:

means contained in the recording/reproducing apparatus for transferring identification information for identifying a target reproduction disk to the control apparatus (Col 2, Lines 45-60, Col 7, Lines 20-35, Col 17, Col 19, Lines 15-67 and Col 10, lines 20-59 and Col 20, Lines 30-55);

means contained in the control apparatus for communicating with the external information management server to acquire disk information of the target reproduction disk from the external information management server on the basis of the identification information (Col 10, Lines 25-35, and Col 20, Lines 15-67);

means contained in the control apparatus, the means operating to extract title information from the acquired disk information of the target reproduction disk (refer to Col 18, Lines 1-10),

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and means contained in the recording/reproducing apparatus for registering in the record disk the extracted title information (refer to Col 17, Lines 1-20, Col 19, Col 20).

means contained in the control apparatus for generating an edit image in accordance with information in the memory in order to perform the editing work for the title information (refer to Col 8, Lines 45-67, the control apparatus contains program that runs the software which generate an edit image, in order to input/edit title, music data i.e., operation menu as the edit image that is in accordance with information in the memory, Col 10, Lines 65-67, and Col 21, Lines 1-10);

Fukuda does not expressly disclose in accordance with information in the title area in the memory, for editing the extracted title information to instruct the recording/reproducing apparatus to record the music data after completing the editing, and to transfer the edited title information from the memory to the recording/reproducing apparatus in response to the completion of the recording of the music data in the recording/reproducing apparatus and does not expressly disclosed when system detected the copyright is within the read text data (refer to 0015, Lines 2-3), the system writes the data into memory further, shift to the title edit process to ask user to input/title information (generate edit image and system is to ask user to input title information, refer to 0016).

AAPA discloses in accordance with information in the title area in the memory, for editing the extracted title information to instruct the and to transfer the edited title information from the memory in response to the completion of the recording of the music data in the recording/reproducing apparatus (pg 2, Lines 15-25, Pg 3, and pg 4, Lines 1-10, it is being interprets that extracted title is being transferred in response to the one piece of music is completely recorded.) and AAPA disclosed when system detected the copyright is within the

read text data (refer to 0015, Lines 2-3), the system writes the data into memory further, shift to the title edit process to ask user to input/title information (generate edit image and system is to ask user to input title information, refer to 0016);

Fukuda did not expressly indicate means contained in the control apparatus for judging whether the acquired disk information includes information of claiming a copyright.

AAPA disclosed means contained in the control apparatus for judging whether the acquired disk information includes information of claiming a copyright (refer to Page 2, Lines 25-30 and Page 3, Lines 1-15).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the AAPA and Fukuda. Both Fukuda and AAPA inventions are about recording music pieces with their relevant information, and Fukuda discloses methods of reproducing/recording music including the title and related information (Col 21, Lines 1-10).

The suggestion/motivation for doing so would have been that by implement via network, it can provides convenience accessibility for the users around the world to download/reproducing/recording piece of music of their choices.

Fukuda did not expressly disclosed means contained in the control apparatus adapted to operate to initialize a title area in a memory contained in the control apparatus so as to shift to an editing work when the information of the claiming the copyright is judged to be included.

AAPA disclosed means contained in the control apparatus adapted to operate to initialize a title area in a memory contained in the control apparatus so as to shift to an editing work when the information of the claiming the copyright is judged to be included (refer to Page 4, Lines 13-16).

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At the time of the invention, it would have been obvious to combine Fukuda and AAPA since the arts are analogous.

The suggestion/motivation for doing so would have been that by implement via network, it can provides convenience accessibility for the users around the world to download/reproducing/recording piece of music of their choices.

Fukuda did not expressly indicate the means for judging whether or not a track change has occurred to decide the completion of the recording of one piece of music.

AAPA disclosed means for judging whether or not a track change has occurred to decide the completion of the recording of one piece of music (decided the recording of music data is complete, refer to Page 2, Lines 24-25)

At the time of the invention, it would have been obvious to combine Fukuda and AAPA since the arts are analogous.

The suggestion/motivation for doing so would have been that by implement via network, it can provides convenience accessibility for the users around the world to download/reproducing/recording piece of music of their choices.

3. Referring to Claim 9, Fukuda discloses an audio system having a recording/reproducing apparatus for recording on a record disk music data reproduced from a reproduction disk and a control apparatus for controlling the recording/reproducing apparatus, the control apparatus being adapted to communicate with an external information management server via a predetermined interface, the audio system comprising:

means contained in the recording/reproducing apparatus for transferring both identification information for identifying a target reproduction disk and text data acquired from the target reproduction disk to the control apparatus (Col 2, Lines 45-60, Col 7, Lines 20-35, Col 17, Col 19, Lines 15-67 and Col 10, lines 20-59 and Col 20, Lines 30-55);

means contained in the control apparatus for communicating with the external information management server to acquire disk information of the targets reproduction disk from the external information management server on the basis of the identification information (refer to Col 17, Lines 1-20, Col 19, Col 20);

means contained in the control apparatus for generating an edit image in accordance with information in the memory in order to perform the editing work for the title information (refer to Col 8, Lines 45-67, the control apparatus contains program that runs the software which generate an edit image, in order to input/edit title, music data i.e., operation menu as the edit image that is in accordance with information in the memory, Col 10, Lines 65-67, and Col 21, Lines 1-10);

means contained in the control apparatus for extracting title information from the acquired disk information of the target reproduction disk and for transferring the extracted title information to the recording/reproducing apparatus (refer to Col 17, Lines 1-20 and Col 19, and 20); and means contained in the recording/reproducing apparatus for registering in the record disk the extracted title information (refer to Col 17, Lines 1-20 and Col 19, and 20).

Fukuda does not expressly disclose contained in the control apparatus for editing the text data and does not expressly discloses transferring the extracted title information from the memory to the recording/reproducing apparatus in response to the completion of the recording of one piece of music and did not disclosed when system detected the copyright is within the read text data,

the system writes the data into memory further, shift to the title edit process to ask user to input/title information.

AAPA discloses means contained in the control apparatus for editing the text data and transferring the extracted title information from the memory to the recording/reproducing apparatus in response to the completion of the recording of one piece of music (pg 2, Lines 15-25, Pg 3, and pg 4, Lines 1-10, it is being interpreted that extracted title is being transferred in response to the one piece of music is completely recorded.) and AAPA disclosed when system detected the copyright is within the read text data (refer to 0015, Lines 2-3), the system writes the data into memory further, shift to the title edit process to ask user to input/title information (generate edit image and system is to ask user to input title information, refer to 0016);

Fukuda did not expressly indicate means contained in the control apparatus for judging whether the acquired disk information includes information of claiming a copyright.

AAPA disclosed means contained in the control apparatus for judging whether the acquired disk information includes information of claiming a copyright (refer to Page 2, Lines 25-30 and Page 3, Lines 1-15).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the AAPA and Fukuda. Both Fukuda and AAPA inventions are about recording music pieces with their relevant information, and Fukuda discloses methods of reproducing/recording music including the title and related information (Col 21, Lines 1-10).

The suggestion/motivation for doing so would have been that by implement via network, it can provides convenience accessibility for the users around the world to download/reproducing/recording piece of music of their choices.

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Fukuda did not expressly disclosed means contained in the control apparatus adapted to operate to initialize a title area in a memory contained in the control apparatus so as to shift to an editing work when the information of the claiming the copyright is judged to be included.

AAPA disclosed means contained in the control apparatus adapted to operate to initialize a title area in a memory contained in the control apparatus so as to shift to an editing work when the information of the claiming the copyright is judged to be included (refer to Page 4, Lines 13-16).

At the time of the invention, it would have been obvious to combine Fukuda and AAPA since the arts are analogous.

The suggestion/motivation for doing so would have been that by implement via network, it can provides convenience accessibility for the users around the world to download/reproducing/recording piece of music of their choices.

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At the time of the invention, it would have been obvious to combine Fukuda and AAPA since the arts are analogous.

The suggestion/motivation for doing so would have been that by implement via network, it can provides convenience accessibility for the users around the world to download/reproducing/recording piece of music of their choices.

Conclusion

Examiner's Notes: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen Tang



KHANH DINH
PRIMARY EXAMINER
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